

**APPROVED AS AMENDED BY THE BOARD OF SELECTMEN**

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
DECEMBER 5, 2005**

**ATTENDANCE:** First Selectwoman Evonne Klein; Linda Santarella;  
Barbara Thorne; Kevin Newman; Susan Young

**STAFF:** John Crary, Administrative Officer

**OTHERS:** John Wayne Fox, Town Counsel

**CALL TO ORDER**

First Selectwoman Klein called the Regular Meeting to order at 6:20 p.m.

**PUBLIC COMMENT**

There were no comments from the public. Ms. Santarella requested that the Public Comment item be brought up again at the end of the meeting.

**FIRST SELECTWOMAN'S REPORT**

The First Selectwoman reported that a Housing Grant was secured by State Senator Bob Duff to replace the roofs on 3 buildings at the Senior Housing on the Post Road. The grant amount is \$25,000.

She reported that she attended a session last week on affordable housing and that highlights of the seminar included a review of the CT Law, as well as what other towns have done in Connecticut, and review of the Massachusetts Law.

She reported that the windows for the Noroton Heights Rail Station were in and Metro North will install them within the next few weeks. She also reported that the Department of Public Works is developing a plan to improve the lighting in the overpass.

Ms. Klein reported that the Holly Lane drainage will be installed in mid- December.

Ms. Klein reported that on December 9<sup>th</sup>, The Chronicles of Narnia - The Lion, The Witch and The Wardrobe will be playing at the Darien Playhouse. Tickets need to be picked up at the Youth Commission Office that morning and the price of entry is an unwrapped toy.

The First Selectwoman reported that she, John Crary and Bob Steeger will tour the 6 districts in town in preparation for the 2006/2007 budget on Saturday, December 10th. She will be sending out notices to the RTM members to bring forward the concerns that their constituents might have. The tour will begin at noon and she will put together a final schedule of the tour and will send it to RTM members and the Board of Selectmen this week. Ms. Klein reported that anyone from the community could join the tour. Ms. Santarella asked for more information on the tour and what was being looked at. Mr. Newman stated the notice did not work well for him and that he would have liked to have been there, but he already had plans made for Saturday. He hoped there would be more lead time. Ms. Klein replied that she did not know if this would be fruitful. Mr. Crary stated that this is usually done during the week but having it on a Saturday allows people to see it on a weekend. Ms. Young asked if it was advertised in the newspaper. Ms. Klein replied that it was discussed with the newspapers this morning and it then went to the RTM.

Ms. Klein reported that the Emergency Management Committee held a monthly meeting on Thursday morning and discussed budget items. She reported that they expect to hold the first CERT training class in Darien this Spring. She reported that an update of the emergency plan was on schedule and they are partnering with the Red Cross to prepare a readiness guide.

Ms. Klein reported that she attended a Board meeting at which the Darien Revitalization Board voted to include the Old Kings Hwy South, Goodwives Shopping area and Tokeneke Road and the Historical Society.

Ms. Klein reported that she would be adding an item to future agendas of the Board of Selectman to be called "agenda review". Mr. Newman asked if he could add an item to the agenda or add a future business item without having a 2/3 vote majority vote. Ms. Klein stated that he could add an item to the agenda by letting her know before the meeting was held.

Ms. Klein reported that other than traffic issues, another hot topic was the prospect of a town pool. She stated that after reading the newspaper article last week, residents have been sending her emails supporting a town effort to build a pool. She is collecting them and putting them in a file in the office for the Board to read.

Ms. Klein then noted the following meetings and events that are coming up: a meeting with SWRPA and staff to finalize the scope of the Route 1 traffic study this week; a luncheon with the Vision Committee of the First Presbyterian Church this week; on Sunday, the Center for Hope Luminaries; the Human Services Council Meeting on the 14<sup>th</sup>; and OPC on the 15<sup>th</sup> at 7:30 a.m.

Mr. Newman asked that Ms. Klein elaborate on the Vision Committee luncheon. Ms. Klein reported that this luncheon was not open to the public, however she would report back to the Board. Mr. Newman stated that this was a potential conflict of interest and he was not a fan of meetings not open to the public. He stated that he likes to get involved in his new role of serving on the Board of Selectmen. Ms. Klein stated that she fulfills two roles: she represents the Town and, over the past two years, she represents the will of the Board of Selectmen. She stated that she would be happy to cancel her attendance. Ms. Thorne stated that her observation was, over time, that Ms. Klein is the Board of Selectmen's voice representing the Town's interest and she reports back to the Board on all of the things she's been involved with. Ms. Young stated that she wanted it to look like this is a Board that works together. Ms. Klein stated she tries to highlight things of interest for the Board that she attended or is going to attend. She stated that Board members can attend any public function.

### **ADMINISTRATIVE OFFICER'S REPORT**

Mr. Crary reported that budget preparation continues and preliminary plans to meet with departments were emailed this afternoon. He stated that they will not be able to meet with each department, therefore he picked out the most desirous ones. He stated that if there was any department not on the preliminary list, to let him know and he would include them on the schedule.

### **SENIOR CENTER TASK FORCE REPORT**

Ms. Santarella reported that the Task Force will be meeting tomorrow afternoon at 3:00 p.m. She stated that last week they met with three architects, Neil Hauck, Rob Young and Mr. Schrader, who presented proposals that will be discussed at tomorrow's meeting. She reported that they received the asbestos report but she has not read it yet. She reported that Pool Time gave a presentation and she was glad they did because there were numerous questions asked about their proposal. Ms. Santarella reported that at tomorrow's meeting they will also discuss the site for the Senior Center. Ms. Thorne asked if Hollow Tree was the only site considered or would they also be looking into other sites. Ms. Santarella replied that they would probably look at that and others. Mr. Newman questioned that the charge of the Senior Center Task Force stated that there were no pre-conditions and he felt other alternatives for the building location should be looked at. Ms. Santarella stated that she wanted to make it clear that they will look at every option. Ms. Young stated that at a previous Board of Selectmen meeting she asked if the charge was to look at other sites and she was told "No". Ms. Santarella read Part 4 of the charge of the Task Force to identify alternate sites if renovation is recommended..

### **NEW BUSINESS**

Ms. Klein requested that agenda item (d) be moved up on the agenda to be heard at this time.

- \*\* MS. SANTARELLA MOVED TO HEAR AGENDA ITEM (D) AT THIS TIME.**
- \*\* MS. THORNE SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**d) Discuss and Take Action on setting dump fees for Seniors**

The Board discussed the dump fees for seniors. It was noted that seniors who have a garbage collector now receive one free dump sticker. Mr. Crary reported that the estimated number of seniors without a garbage collector was 200.

- \*\* MS. THORNE MOVED THAT THE DUMP STICKER FEE FOR SENIORS WHO DO NOT HAVE A GARBAGE COLLECTOR WILL BE REDUCED FROM \$100.00 TO \$50.00.**
- \*\* MS. YOUNG SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**a) Discuss and Take Action on permitting the culling of deer on Town property**

Mr. Crary reported that the Park and Recreation Commission approved the proposal and the only issue was insurance for the hunters and the Town's liability. He stated he worked with the Town's insurance broker who came up with a solution for small groups in which a "hunt club" would be set up with the National Rifle Association and the Town will become a member of it. He stated he filled out an application and was waiting to hear back from them. Mr. Crary reported the cost would be between \$500.00 and \$600.00 to join the NRA and the policy would provide \$1 million coverage and with a \$1 million aggregate. Mr. Ken Haydock, of the Deer Control Committee, asked what period of time the insurance would cover and Mr. Crary replied he believed it was for one year. Mr. Haydock reported that some hunters already had some insurance coverage of their own. He asked if a police officer could be present at the hunt and Mr. Crary replied he did not see a problem with that. Ms. Santarella questioned the Town's liability and Wayne Fox, Town Counsel, reported that the "hunt club" would be like a mini-organization that will be approved for coverage and the Town would be named as an additional insured. He stated that it was beneficial to insist on there being a rider. Mr. Crary added that the Town's present liability policy is silent on this issue. Mr. Crary reported that the Board of Finance has already approved \$1,500 for the cull and would need to approve the additional \$500-\$600. Mr. Haydock stated that the liability is with a Town when it knows it has a problem and does nothing about it.

- \*\* MR. NEWMAN MOVED TO APPROVE THE DEER HUNT ON SELLECK'S WOODS FROM DAWN TO 10:00 A.M., MONDAYS THROUGH SATURDAYS FROM DECEMBER 1, 2005 THROUGH JANUARY 31, 2006, CONTINGENT ON THE BOARD OF FINANCE APPROVING ADDITIONAL**

**FUNDS TO OBTAIN AN INSURANCE POLICY RIDER AND THE  
OBTAINING OF AN INSURANCE POLICY RIDER.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**b) Discuss Connecticut Conference of Municipalities (CCM) amicus curiae on the  
refund of overpayments on streetlights**

Mr. Crary reported that he received a letter from the Connecticut Conference of Municipalities stating that they are working on obtaining a refund from CL&P for municipal street light customers. He stated that the Town had already received a refund of \$85,000 and the CCM seems to believe the Town could receive potentially a total refund of \$358,000. He reported that the CCM is requesting \$2,800 for the Town's share for the cost of legal representation.

**\*\* MR. NEWMAN MOVED TO AUTHORIZE THE FIRST SELECTWOMAN  
TO SPEND \$2,800 AS THE TOWN'S SHARE TO HAVE LEGAL  
REPRESENTATION WITH THE CCM IN THE SUIT AGAINST CL&P FOR  
A MUNICIPAL STREET LIGHTS REFUND.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**c) Discuss Board of Selectmen Priorities for 2006.**

The Board reviewed and discussed the priorities for 2006. Ms. Young questioned if exploring recreational opportunities with New Canaan was a priority. Mr. Newman stated there were fifty priorities and asked which one were they going to focus on this year. He commented that they were not setting of these above the rest. Ms. Young suggested that the Ongoing Government Charges & Responsibilities should be a separate document. Mr. Newman stated that the Fiscal Responsibility strategy should be moved over to a priority. It was discussed that the establishment of an Affordable Housing Task Force should be changed to read as an Advisory Commission. Mr. Newman said that the State was not requiring the Town to have affordable housing. Ms. Young asked if it should be moved to a priority. Ms. Klein asked that the Board put together a draft charge for the Affordable Housing Advisory Board.

Mr. Jack Davis, District 5 and member of the RTM, suggested that they take a look at revenue and expense balancing. He stated that he was concerned that they should look at things that were not funded last year and should be doing, and then are dropped off and not addressed. He stated that they have to address them and should bite the bullet. Ms. Santarella stated that they were not happy with the cuts that were made.

Ms. Klein stated that she would make the changes addressed by the Board on the priority list.

**d) Transfer:**

**Town Clerk**

**Because of the Republican Primary in September 2005, our “Election Printing” account initially budgeted at \$3,100 to cover the November 2005 Election, is short some \$1,100. This being the case, we are requesting that \$1,100 be transferred from contingency to the election printing account to cover the balance of the printing costs for the 11/8/05 Municipal Election.**

**RESOLVED:**

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10704000-86600	Contingency	1,100	10106011-82078	Election Printing	1,100
TOTAL		\$1,100	TOTAL		\$1,100

Mr. Crary reported that this transfer was to cover the November 2005 election.

- \*\* MS. SANTARELLA MOVED TO APPROVE THE TRANSFER FROM ACCOUNT #10704000-86600, CONTINGENCY, TO ACCOUNT #10106011-82078, ELECTION PRINTING, IN THE AMOUNT OF \$1,100.**
- \*\* MS. THORNE SECONDED.**
- \*\* MOTION APPROVED WITH FOUR IN FAVOR AND ONE ABSTENTION (MS. YOUNG).**

Ms. Klein asked for a Motion to add an item to the agenda.

- \*\* MS. SANTARELLA MOVED TO ADD AN ITEM TO THE AGENDA.**
- \*\* MS. THORNE SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Mr. Crary reported that a transfer of \$1,900 from the Contingency fund is requested to cover the remainder of emergency repairs made to the ladder truck. He stated that the amount of \$12,000 was previously approved by the Board of Finance, however they needed an additional amount that was unforeseen for the repair.

- \*\* MS. THORNE MOVED TO APPROVE A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$1,900 FROM ACCOUNT**

**NUMBER 10704000-86600, CONTINGENCY, TO ACCOUNT NUMBER 10106011-82078, EMERGENCY REPAIRS-NFD.**

**\*\* MS. SANTARELLA SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

### **APPROVAL OF PREVIOUS MINUTES**

#### **SPECIAL MEETING OF OCTOBER 3, 2005**

The following change was made to the Minutes:

Page 1: Second paragraph: First sentence: change to: Ms. Klein has been having discussions with .....

**\*\* MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF OCTOBER 3, 2005 AS AMENDED.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED WITH 3 IN FAVOR AND TWO ABSTENTIONS (MR. NEWMAN, MS. YOUNG).**

#### **EMERGENCY MEETING OF OCTOBER 4, 2005**

The following change was made to the Minutes:

Change date of the meeting to October 3, 2005.

**\*\* MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE EMERGENCY MEETING OF OCTOBER 3, 2005 AS AMENDED.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED WITH 3 IN FAVOR AND TWO ABSTENTIONS (MR. NEWMAN, MS. YOUNG).**

#### **REGULAR MEETING OF OCTOBER 17, 2005**

The following change was made to the Minutes:

Page 1: Second paragraph: Second sentence: Change spelling to Carolyn Bayne.

**\*\* MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE MEETING OF OCTOBER 17, 2005 AS AMENDED.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED WITH 3 IN FAVOR AND TWO ABSTENTIONS (MR. NEWMAN, MS. YOUNG).**

## **REGULAR MEETING OF NOVEMBER 7, 2005**

The following change was made to the Minutes:

Page 1: Senior Center Task Force: Second sentence: Change spelling to Neil Hauck.

- \*\* MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE MEETING OF NOVEMBER 7, 2005 AS AMENDED.**
- \*\* MS. THORNE SECONDED.**
- \*\* MOTION PASSED WITH 3 IN FAVOR AND TWO ABSTENTIONS (MR. NEWMAN, MS. YOUNG).**

## **FORTHCOMING MEETINGS**

- December 19, 2005 Board of Selectmen Regular meeting at 7:30 p.m.
- January 3, 2006 Board of Selectmen meeting with Department Heads at 4:30 p.m.
- January 3, 2006 Board of Selectmen meeting at Conclusion of Meeting with Department Heads
- January 17, 2006 Board of Selectmen Regular meeting at 7:00 p.m.

## **OTHER BUSINESS**

(A two-thirds majority vote is required to add an item to the agenda)

Mr. Newman requested that an agenda item be included on the Board of Selectmen's agenda each month to be called: Future Business.

- \*\* MS. SANTARELLA MOVED TO ADJOURN THE MEETING AT 8:40 P.M.**
- \*\* MS. THORNE SECONDED.**
- \*\* MOTION APPROVED UNANIMOUSLY.**

Respectfully Submitted,

Donna DeVito  
Telesco Secretarial Services